

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 77-123

NPDES PERMIT NO. CA0005631

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

PACIFIC GAS AND ELECTRIC COMPANY  
OLEUM POWER PLANT

1. This Board on December 17, 1974, adopted Order No. 74-204 prescribing waste discharge requirements including a compliance time schedule for Pacific Gas and Electric Company, Oleum Power Plant (hereinafter the discharger) in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. On May 18, 1976, the Board adopted revised requirements for the discharge in Order No. 76-62.
2. The discharger has submitted evidence which documents that the July 1, 1977, compliance deadline could not be met despite a diligent effort by the discharger.
3. The discharger has submitted a time schedule by which he can achieve the requirements contained in Order No. 76-62.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public meeting heard and considered all comments pertaining to the discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300, Pacific Gas and Electric Company shall comply with Items A.2.a., A.2.c., and A.2.d. of Order No. 76-62 according to the following time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Date</u>
a. Design Status Report	-	January 15, 1978
b. Complete Design	April 15, 1978	May 1, 1978
c. Start Construction	August 1, 1978	August 15, 1978
d. Construction Status Report	March 1, 1979	March 15, 1979
e. Complete Construction	Sept. 1, 1979	Sept. 15, 1979
f. Full Compliance	Nov. 1, 1979	Nov. 15, 1979

This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with the items of Order No. 76-62 specified herein provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;

- b. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- c. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

This action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 20, 1977.

FRED H. DIERKER  
Executive Officer